

Message Text

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C O N F I D E N T I A L STATE 194556

FOLLOWING REPEAT MANILA 9597 ACTION SECSTATE 12 AUG

QUOTE

C O N F I D E N T I A L MANILA 9597

E O 11652: GDS
TAGS: MASS, RP, EAID
SUBJ: GAO QUESTION ON PHILIPPINE POLITICAL PRISONERS

GAO TEAM FROM BANGKOK IS HERE INTER ALIA TO INQUIRE
INTO STATUS POLITICAL PRISONERS WITH REFERENCE TO FAA,
SECTION 32. GAO HAS SUBMITTED FIRST SERIES OF QUESTIONS
FOR WHICH IT HAS ASKED REPLIES BY AUGUST 16. BEFORE
REPLYING TO GAO QUESTIONS, WE WOULD APPRECIATE DEPT
COMMENT AND APPROVAL OF PROPOSED ANSWERS. GAO QUESTIONS
AND OUR PROPOSED REPLIES FOLLOW BELOW.

(1) THE PHILIPPINE GOVERNMENT'S DEFINITION OF "POLITICAL PRISONERS":
ANSWER: SO FAR AS WE ARE AWARE, THE PHILIPPINES
HAS NO LEGAL OR QUASI LEGAL DEFINITION OF THE TERM
"POLITICAL PRISONERS." IT HAS BEEN GENERALLY ASSERTED BY
THE GOVERNMENT THAT IT DOES NOT MAKE PRISONERS OF PERSONS
MERELY FOR THEIR POLITICAL BELIEFS OR AFFILIATIONS. AT
THE MOMENT, IT TENDS TO CONSIDER THE TERM "POLITICAL
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PRISONERS" SYNONYMOUS WITH THE TERM "THREATEN-

ING THE STABILITY AND NATIONAL SECURITY OF THE PHILIPPINES." THE GOVERNMENT DOES NOT USE THE TERM WITH LEGAL PRECISION, HOWEVER, AND WE BELIEVE THIS MAY HELP ACCOUNT FOR THE CONFUSING PICTURE OF THE PROBLEM.

(2) THE NUMBER OF "POLITICAL PRISONERS" IN THE JAILS, PRISONS AND MILITARY CAMPS:

ANSWER: THE GOVERNMENT DOES NOT PUBLISH FIGURES ON THE NUMBERS OF PERSONS HELD IN THIS CATEGORY, I.E. THOSE WHO THREATEN STABILITY AND SECURITY. WE BELIEVE THE NUMBER TO BE IN THE NEIGHBORHOOD OF 5,000. THE BULK OF THESE PRISONERS IS ASSUMED TO CONSIST OF MUSLIM REBELS, MEMBERS OF THE NEW PEOPLES ARMY (A "MAOIST" COMMUNIST ARMED ENTITY), AND MEMBERS OF A NUMBER OF COMMUNIST FRONTS. THE REMAINDER, VARIOUSLY ESTIMATED AT 7 TO 10 PERCENT OF THE TOTAL DETAINEES, PROBABLY REPRESENTS THOSE DETAINEES WHO FALL WITHIN THE MORE COMMONLY USED DEFINITION OF POLITICAL PRISONERS AND WOULD PRESUMABLY COME CLOSE TO THE FIGURE OF 350 CITED IN THE STARS AND STRIPES ARTICLE. THE TOTAL NUMBER UNDER DETENTION CHANGES AS THE GOVERNMENT PICKS UP AND RELEASES PERSONS.

(3) WHAT ARE THESE PRISONERS CHARGED WITH?

ANSWER: THE GOVERNMENT DOES NOT AS A MATTER OF COURSE PUBLICIZE THE CHARGES BROUGHT AGAINST ITS PRISONERS. AS NOTED ABOVE. PERSONS IN THIS GENERAL CATEGORY WOULD PRESUMABLY HAVE BEEN CHARGED OR AT LEAST DETAINED BECAUSE THEY COMMITTED AN ACT WHICH THE GOVERNMENT CONSIDERED TO THREATEN THE STABILITY OR NATIONAL SECURITY OF THE PHILIPPINES AS OUTLINED IN PROCLAMATION 1081.

(4) HOW ARE THEY TREATED?

ANSWER: THE EMBASSY HAS VISITED ONLY THE FEW AMERICANS WHO HAVE BEEN TEMPORARILY DETAINED AND HAS FOUND THE CONDITIONS GENERALLY ADEQUATE. ACCORDING TO AN INTERNATIONAL COMMITTEE OF RED CROSS REPORT ON CONDITIONS THROUGHOUT THE PHILIPPINES REFERRED TO IN THE AUGUST 1973 PRESS, THE CONDITIONS OF THE PRISONERS WERE CONSIDERED ACCEPTABLE. THERE HAVE OCCASIONALLY BEEN ALLEGATIONS OF MISTREATMENT BUT WE BELIEVE THE INSTANCES OF MISTREATMENT ARE RELATIVELY FEW

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AND NOT A MATTER OF POLICY.

(5) HAVE US-PROVIDED FUNDS OR COMMODITIES BEEN USED IN THE CONSTRUCTION, SUPPORT AND OPERATIONS OF THE JAILS, PRISONS AND CAMPS?

ANSWER: US ASSISTANCE TO THE PHILIPPINES IS VERY SPECIFICALLY ALLOCATED TO A NUMBER OF SPECIFIC PROJECTS CONDUCTED JOINTLY WITH THE PHILIPPINE GOVERNMENT. NONE

OF SUCH ASSISTANCE HAS BEEN PROVIDED TO ACTIVITIES WHICH WOULD HAVE ANY CONNECTION WITH THE REGIME'S DETENTION ADMINISTRATION. US ASSISTANCE TO PHILIPPINE PUBLIC SAFETY ACTIVITIES HAD BEEN DIRECTED AT TRAINING MOSTLY IN ADMINISTRATIVE MATTERS, E.G. PERSONNEL AND RECORDS, IN ESTABLISHING REGIONAL TRAINING CENTERS, AND IN COMMUNICATIONS. SUCH ASSISTANCE WAS TERMINATED AT THE END OF LAST FISCAL YEAR.

(6) THE PACIFIC STARS AND STRIPES REPORTED ON JULY 20, 1974 THAT THE PHILIPPINE GOVERNMENT WAS HOLDING AT LEAST 350 "POLITICAL PRISONERS." HAS THE EMBASSY CONFIRMED THE FIGURES IN THIS STATEMENT?

ANSWER: THE EMBASSY HAS NO WAY OF CONFIRMING THE STARS AND STRIPES STATEMENT ABOUT POLITICAL DETAINEES BECAUSE THE SUBJECT OF POLITICAL PRISONERS IS NOT A MATTER OF PUBLIC RECORD. THE REMARKS REFERRED TO WERE MADE AT A PRIVATE MEETING AND WERE NOT INTENDED FOR PUBLICATION. SINCE GENERAL CAMPOS, TO WHOM THE REMARKS WERE ATTRIBUTED, IS HEAD OF THE ADMINISTRATION FOR DETENTION, WE ASSUME THE FIGURES ARE AS AUTHORITATIVE AS ONE CAN COME BY UNDER MARTIAL LAW CONDITIONS AND GIVEN THE CONFUSION IN DEFINITION OF "POLITICAL PRISONERS" THAT PREVAIL. SEE QUESTION (2) ABOVE.

(7) IN VIEW OF THE REPORTED FACTS IN THE HILAO CASE, IS THE EMBASSY SATISFIED THAT CANU UNITS OF THE PHILIPPINE CONSTABULARY CANNOT BE USED FOR POLITICAL INVESTIGATIONS AND ARRESTS? ARE THESE UNITS ELIGIBLE FOR NARCOTICS FUNDING UNDER SECTION 481 OF THE FOREIGN ASSISTANCE ACT?

ANSWER: TO DATE NO CANU TEAM HAS BEEN DESIGNATED FOR SUPPORT. AGREEMENT WAS SIGNED APRIL 16, 1974, TO SUPPORT EIGHT 6-MAN CANU TEAMS WITH BASIC EQUIPMENT AN ADVISORY
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AND TRAINING ASSISTANCE. IT IS PLANNED THAT ELEVEN MORE 6-MAN CANU TEAMS WILL BE INCLUDED IN THE FY 75 PROGRAM. ALL PERSONNEL ASSIGNED TO THE EIGHT (AND ELEVEN) TEAMS MUST UNDERGO REFRESHER TRAINING IN THE 4-WEEK NARCOTICS ENFORCEMENT COURSE AT THE NATIONAL POLICE ACADEMY (OR ITS EQUIVALENT). THE FIRST 11 MEN BEGAN TRAINING ON JULY 22, AND COMMODITIES HAVE BEEN ORDERED. WHEN THE PERSONNEL HAS BEEN TRAINED AND THE COMMODITIES BEGIN TO ARRIVE IN COUNTRY, SIX-MAN TEAMS IN CANU WILL BE FORMED OR RE-FORMED AND DESIGNATED AS US-SUPPORTED TEAMS. IT IS EXPECTED THAT SUCH TEAMS WILL WORK FULLTIME ON NARCOTICS OPERATIONS. A JOINT PHIL-US INSPECTION TEAM MONITORS ALL US-SUPPORTED NARCOTICS UNITS IN THE COUNTRY, VISITING EACH A MINIMUM OF FOUR TIMES A YEAR. SOME CANU PERSONNEL HAVE BEEN AND PERHAPS WILL AGAIN

BE USED ON AN AD HOC BASIS TO PARTICIPATE IN POLICE
ACTIVITY OTHER THAN NARCOTICS, SUCH AS EMBEZZLEMENT,
CAR-NAPPING, ETC., BUT THE GOP HAS AGREED NOT TO USE THE
US-SUPPORTED UNITS IN ANY BUT NARCOTICS OPERATIONS NOR
TO ALLOW US-PROVIDED EQUIPMENT TO BE USED BY OTHER THAN
FULLTIME NARCOTICS TEAMS, OR THE EQUIPMENT WILL BE WITHDRAWN.
THE DETERMINATION OF CANU ELIGIBILITY FOR NARCOTICS
FUNDING WAS MADE BY THE CCINC. WE DO NOT HAVE THE RECORD
OF THAT DETERMINATION HERE.
SULLIVAN UNQUOTE KISSINGER

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